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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,280	08/17/2001	Chen-Yin Lee	DYNA117748	3103

26389 7590 09/15/2005

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER	
CHANG, SHIRLEY	

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/932,280	LEE, CHEN-YIN	
	Examiner	Art Unit	
	Shirley Chang	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *8/17/01 and 4/5/02* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claims 11, 12 and 18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 11 and 12 call for a computer process. However, they fail to prove tangible application and pre/post computer activities.

Claim 18 contains non-descriptive functional material. It is nothing but a schedule program, per se.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, 9-12, 14, 17-20, 23-25, 28, 30, 31, and 33 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ullman et al. (6018768)

As to claim 1, Ullman et al. disclose:

A personal web guide system which allows a user to browse Web information according to a predetermined schedule (figs. 1, 2, and 4)

a schedule program memory including a schedule program in which a plurality of Internet resource addresses are registered in predetermined sequential order (fig. 7; 'The instructor creates a playlist (i.e. linkfile) 160, the playlist 160 comprising a listing of Web pages, text notes and questions. The Web sites are set forth in a predetermined order and can be assigned times' [10, 33-58]);

a client system including a display, the client system being configured to download plural sets of Internet resource data whose addresses are registered in the schedule program from the Internet, and to display the plural sets of downloaded data in the predetermined sequential order on the display ("Preferably, the URLs have associated time stamps which indicate to the subscriber stations when, during the video program, to display the particular Web pages addressed by the URLs. Alternatively, the user can select when to call the particular Web pages for display with the video program" [5, 3-12]).

As to claim 2, Ullman et al. disclose:

wherein the schedule program memory resides in a host server with which the client system is connected via the Internet and from which the client system retrieves the schedule program ("In this embodiment, the URL decoder 24 is located at the server site, as opposed to the subscriber location. When the decoder 24 receives the video program signal, it strips out the URL codes on line 21 of the VBI and delivers these codes independently to an Internet server 28. The URL code is then subsequently delivered over the Internet 20 to the user PC 16. Simultaneously, the video is broadcast over conventional broadcast or cable transmission means 36 to the user's personal computer 16" [5, 58] to [6, 6]; "The database 78 provides the Link File records for upcoming time periods to a server 90, which may be one server or a distributed network of server programs on multiple computers across the network, to be utilized for scaling to large national or global audiences. The server 90 provides the Link File records, including the URLs, to the user's personal computer 16, which is connected via a network. Examples of possible networks include the public Internet 94, a direct private network, or even a wireless network" [6, 56-65]; "The database 78 provides the Link File records for upcoming time periods to a server 90, which may be one server or a distributed network of server programs on multiple computers across the network, to be utilized for scaling to large national or global audiences. The server 90 provides the Link File records, including the URLs, to the user's personal computer 16, which is connected via a network. Examples of possible networks include the public Internet 94, a direct private network, or even a wireless network" [6, 56-65]; "A significant advantage of the present invention for educational applications is that the students and the

instructor can be located anywhere, as long as they are all connected to the Web. Because a server is essentially controlling the program, the instructor output comes from the server and the student workstations get automatically updated by the Web server" [10, 59-65]).

As to claim 3, Ullman et al. disclose:

wherein the schedule program memory includes a plurality of schedule programs predefined under a plurality of categories, respectively, each of which is selectable by the client system (figure 7, wherein the categories include description, web page address or question, hour, and minutes).

As to claim 4, Ullman et al. disclose:

the client system is selected from a group consisting of a TV settop box system, a mobile phone, and a personal digital assistant ("In this alternative embodiment, the digital cable set top box 140 receives the television program from the multichannel cable" [9, 59] to [10, 3]).

As to claim 5, Ullman et al. disclose:

wherein the schedule program further defines a display period for each of the plural sets of Internet resource data, and the client system displays each of the plural sets of Internet resource data for the predefined display period (fig. 7; "For each time period (for example, a particular hour long period during the day) determined by the broadcaster 66 to be a broadcast period (a period during which they want to transmit URLs that

correspond to a television show being broadcast from their TV broadcast facility 110 to the external TV 114 of the user 118 at that time), the broadcaster 66 may then enter a series of URLs into an associated file ("Link File") for transmission over the Internet 20 at that time" [6, 24-40]; "The above data structure is just one example. The records in the Link File preferably specify the time, Internet address (i.e. URL), label (such as an associated name), and some optional additional information, for each Web page the broadcaster 66 desires to launch during a show" [6, 44-49]).

As to claim 6, Ullman et al. disclose:

wherein the schedule program is used to create a plurality of temporary Web pages based on the plural sets of Internet resource data, respectively ("The instructor creates a playlist (i.e. linkfile) 160, the playlist 160 comprising a listing of Web pages, text notes and questions. The Web sites and questions are set forth in a predetermined order and can be assigned times. Preferably, the URLs identifying the Web site and time stamps are sent automatically to the desktop of each student in the virtual community, either during playback of a pre-recorded program or during a live event" [10, 33-58]; "Because program events can be set up in this manner at predetermined times, the entire program and playlist can be prerecorded and stored in a Web database for later access by students" [10, 33-58]; furthermore, all Web pages are effectively 'temporary' since they are transient in nature and do not permanently exist),

and also to create a display control program defining the address and display period of each of the plurality of temporary Web pages (met as discussed in claim 1).

As to claim 9, Ullman et al. disclose:

wherein the client system further comprises a buffer configured to store Internet resource data, the client system being configured to download plural sets of Internet resource data whose addresses are registered in the schedule program from the Internet into the buffer, and to display the downloaded plural sets of data in the predetermined sequential order on the display ("At each of the student workstations, the program is directed by the playlist 160. In other words, the playlist 160 provides the structure for the program. At predetermined times as dictated by the playlist 160, the browser will go fetch and display a Web page in a frame on the computer screen. Because program events can be set up in this manner at predetermined times, the entire program and playlist can be prerecorded and stored in a Web database for later access by students" [10, 50-58]);

wherein the client system downloads a set of Internet resource data from the next Internet resource address as specified in the schedule program before completing the display of another set of Internet resource data from the current Internet resource address as specified in the schedule program ("At each of the student workstations, the program is directed by the playlist 160. In other words, the playlist 160 provides the structure for the program. At predetermined times as dictated by the playlist 160, the browser will go fetch and display a Web page in a frame on the computer screen. Because program events can be set up in this manner at predetermined times, the entire program and playlist can be prerecorded and stored in a Web database for later access by students" [10, 50-58]).

As to claim 10, Ullman et al. disclose:

A personal Web guide system which allows a user of a client system to browse Web information according to a predetermined schedule (figs. 1, 2, and 4)

a host workstation comprising a schedule program memory, the memory including a schedule program in which a plurality of Internet resource addresses are registered in predetermined sequential order ("because a server is essentially controlling the program, the instructor output comes from the server and the student workstations get automatically updated by the Web server" [10, 59-65] and as discussed in claims 1 and 2);

a schedule program server connected to the host workstation, the schedule program server being configured to receive a schedule program and to create a plurality of temporary Web pages and a display control program based on the received schedule program, the plurality of temporary Web pages being created based on a plurality of Web pages available at the plurality of Internet resource addresses as registered in the schedule program, respectively (met as discussed in claims 2 and 6; "In this embodiment, the URL decoder 24 is located at the server site, as opposed to the subscriber location. When the decoder 24 receives the video program signal, it strips out the URL codes on line 21 of the VBI and delivers these codes independently to an Internet server 28. The URL code is then subsequently delivered over the Internet 20 to the user PC 16. Simultaneously, the video is broadcast over conventional broadcast or cable transmission means 36 to the user's personal computer 16" [5, 58] to [6, 6]; "The

database 78 provides the Link File records for upcoming time periods to a server 90, which may be one server or a distributed network of server programs on multiple computers across the network, to be utilized for scaling to large national or global audiences. The server 90 provides the Link File records, including the URLs, to the user's personal computer 16, which is connected via a network. Examples of possible networks include the public Internet 94, a direct private network, or even a wireless network" [6, 56-65]; "The database 78 provides the Link File records for upcoming time periods to a server 90, which may be one server or a distributed network of server programs on multiple computers across the network, to be utilized for scaling to large national or global audiences. The server 90 provides the Link File records, including the URLs, to the user's personal computer 16, which is connected via a network. Examples of possible networks include the public Internet 94, a direct private network, or even a wireless network" [6, 56-65]; "A significant advantage of the present invention for educational applications is that the students and the instructor can be located anywhere, as long as they are all connected to the Web. Because a server is essentially controlling the program, the instructor output comes from the server and the student workstations get automatically updated by the Web server" [10, 59-65]);

a client system including a display, the client system being configured to download the display control program from the schedule program server, and then to download and display the temporary Web pages in the predetermined sequential order according to the downloaded display control program (met as discussed in claim 1).

As to claim 11, Ullman et al. disclose:

An article comprising a computer-readable signal-bearing medium including computer-executable instructions, wherein the instructions when loaded onto a computer perform the steps of (the system is a PC based system and thereby also a 'computer-readable signal-bearing medium')

receiving user input of a plurality of Internet resource addresses in user-selected sequential order; generating a schedule program in which the plurality of Internet resource addresses are registered in the user-selected sequential order (met as discussed in claim 1).

As to claim 12, Ullman et al. disclose:

wherein the medium is a recordable data storage medium ("At each of the student workstations, the program is directed by the playlist 160. In other words, the playlist 160 provides the structure for the program. At predetermined times as dictated by the playlist 160, the browser will go fetch and display a Web page in a frame on the computer screen. Because program events can be set up in this manner at predetermined times, the entire program and playlist can be prerecorded and stored in a Web database for later access by students" [10, 50-58]).

As to claim 14, Ullman et al. disclose:

Wherein the step of receiving user input further includes receiving user input of a display period for each of the plural sets of Internet resource data available at the plurality of Internet resource addresses, respectively, and the schedule program further defines the display period of each of the plural sets of Internet resource data ('the web

sites are set forth in a predetermined order and can be assigned times'; "At each of the student workstations, the program is directed by the playlist 160. In other words, the playlist 160 provides the structure for the program. At predetermined times as dictated by the playlist 160, the browser will go fetch and display a Web page in a frame on the computer screen. Because program events can be set up in this manner at predetermined times, the entire program and playlist can be prerecorded and stored in a Web database for later access by students" [10, 49-58] and as discussed in claim 5).

As to claim 17, Ullman et al. disclose:

Wherein the computer-executable instructions perform the further step of: interpreting the schedule program to generate a plurality of temporary Web pages based on the plural sets of Internet resource data, respectively, and to generate a display control program defining the address and display period of each of the plurality of temporary Web pages (met as discussed in claims 1, 6, 11;).

As to claim 18, Ullman et al. disclose:

An article comprising a computer-readable signal-bearing medium comprising a schedule program in which a plurality of Internet resource addresses are registered in predetermined sequential order (met as discussed in claim 1; the system is a PC based system and thereby also a 'computer-readable signal-bearing medium').

As to claim 19, Ullman et al. disclose:

Wherein the schedule program further defines the display period of each of the plural sets of Internet resource data available at the plurality of Internet resource addresses, respectively (met as discussed in claim 5).

As to claim 20, Ullman et al. disclose:

wherein the medium further comprises computer-executable instructions which, when loaded onto a computer, perform the step of: interpreting the schedule program to generate a plurality of temporary Web pages based on the plural sets of Internet resource data, respectively, and to generate a display control program defining the address and display period of each of the plurality of temporary Web pages (met as discussed in claim 17).

As to claim 23, Ullman et al. disclose:

An article comprising a computer-readable signal-bearing medium including computer-executable instructions, wherein the instructions when loaded onto a computer perform the steps of: downloading a display control program in which a plurality of Internet resource addresses are registered in predetermined sequential order; and downloading and displaying plural sets of Internet resource data available at the plurality of Internet resource addresses, respectively, in the predetermined sequential order according to the display control program ("the URLs identifying the Web site and time stamps are sent automatically to the desktop of each student in the virtual community" [10, 33-49] and as discussed in claim 1).

As to claim 24, Ullman et al. disclose:

wherein the display control program further defines a display period of each of the plural sets of Internet resource data, and the step of downloading and displaying the plural sets of Internet resource data comprises displaying each set of Internet resource data for the predefined display period (met as discussed in claim 5).

As to claim 25, Ullman et al. disclose:

wherein the step of downloading and displaying the plural sets of Internet resource data comprises downloading a set of Internet resource data from the next Internet resource address as specified in the display control program before completing the display of another set of Internet resource data from the current Internet resource address as specified in the display control program (met as discussed in claim 9).

As to claim 28, Ullman et al. disclose:

wherein the medium is a recordable data storage medium (met as discussed in claim 12).

As to claim 30, Ullman et al. disclose:

A method of automatically displaying a series of Web pages on a client system, the method comprising: listing a plurality of categories on a client system, each of the categories being associated with a schedule program (as discussed in claim 3); receiving a user selection of one of the categories on the client system; and in response to the user selection, automatically displaying a plurality of Web pages on the client system in sequence as predetermined in the schedule program associated with the

selected category ("the playlist 160 provides the structure for the program. At predetermined times as dictated by the playlist 160, the browser will go fetch and display a Web page in a frame on the computer screen" [10, 50-58] and as discussed in claim 3).

As to claim 31, Ullman et al. disclose:

wherein the schedule program further defines a display period for each of the plurality of Web pages, and the step of displaying a plurality of Web pages comprises displaying the Web pages for the defined display periods, respectively (met as discussed in claim 5).

As to claim 33, Ullman et al. disclose:

further comprising the steps of: receiving a user password on the client system; and verifying the received user password to determine if it matches a predefined subscriber; wherein only upon verifying that the received password matches a predefined subscriber, the step of automatically displaying a plurality of Web pages is performed ("The service will provide member-accounts to TV broadcasters 66 who sign up to use the system of the invention in conjunction with their broadcasts. Each member broadcaster will enter the service at their computer 70 through Web browser software 74 using their member account by entering various identification and password information. Once within their account, the member will be provided with a graphical user interface for pre-scheduling URLs for transmission to users 118 over a direct

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 7, 13, 15, 21, 26, 29, and 32 are rejected under 35 U.S.C. § 103(a) as being un-patentable over Ullman et al. (6018768).

As to claim 7,

Although Ullman et al. does not specifically disclose, "wherein the display control program further defines scrolling of at least one of the plurality of temporary Web pages," the examiner gives Official Notice that it is notoriously well known in the art to define scrolling. Accordingly, it would have been clearly obvious to one of ordinary skill in the art to modify the Ullman reference with the claimed limitation, so as to allow the user more maneuverability within the display guide.

As to claim 13,

Although the Ullman et al. is unclear how the teacher workstations receives the article comprising a computer-readable signal bearing medium as claimed, the examiner gives Official Notice that it is notoriously well known in the art to distribute software via a

modulated carrier wave. Accordingly, it would have been clearly obvious to one of ordinary skill in the art to modify the Ullman reference with the claimed limitation, for the purpose of a low cost distribution means for the distribution of software to a large number of people.

As to claim 15, Ullman et al. disclose:

wherein the step of receiving user input further includes receiving user input of scrolling at least one of the plural sets of Internet resource data, and the schedule program further defines the scrolling of at least one of the plural sets of Internet resource data (met as discussed in claim 7).

As to claim 21, Ullman et al. disclose:

wherein the schedule program further defines scrolling of at least one of the plural sets of Internet resource data (met as discussed in claim 7).

As to claim 26, Ullman et al. disclose:

wherein the display control program further defines scrolling of at least one of the plural sets of Internet resource data, and the step of downloading and displaying the plural sets of Internet resource data comprises scrolling at least one of the plural sets of Internet resource data according to the display control program (met as discussed in claim 7).

As to claim 29, Ullman et al. disclose:

wherein the medium is a modulated carrier signal (met as discussed in claim 13).

As to claim 32, Ullman et al. disclose:

wherein the schedule program further defines scrolling of at least one of the plurality of Web pages, and the step of displaying a plurality of Web pages comprises scrolling the at least one of the Web pages (met as discussed in claim 7).

5. Claims 8, 16, 22, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ullman et al. (6018768) in view of Levy et al. (2002/0033844).

As to claim 8,

Although Ullman et al. does not specifically disclose "wherein at least one of the plurality of temporary Web pages is reformatted for display on the client system," Levy et al. teaches "The router parses the identifier from the message, looks up the network address associated with the content identifier, and returns it to the data formatting server. Next, the data formatting server retrieves the metadata associated with the content identifier from the metadata database located at the network address. Specifically, the data formatting server retrieves a web page indexed by the network address returned by the router. Next, the data formatting server reformats the metadata for display on the PDA and sends the reformatted data to the PDA for rendering. Specifically if the metadata is a web page, the data formatting server reformats the web page for display on the PDA's monitor. For other types of metadata content, the data formatting server formats the metadata content for delivery to the PDA and rendering on the PDA, such as by converting to a compressed file, or a streaming file format like

Microsoft's ASF format. This example is applicable to other portable communication devices like wireless phones" [0181]). Accordingly, it would have been clearly obvious to one of ordinary skill in the art to modify the Ullman et al. reference with the claim limitation as to allow "data to be formatted for rendering on the display type of the device" [0010], thereby allowing greater flexibility as to the nature of the display device.

As to claim 16:

wherein the step of receiving user input further includes receiving user input of reformatting at least one of the plural sets of Internet resource data (met as discussed in claim 8).

As to claim 22,

wherein at least one of the plural sets of Internet resource data is reformatted in the schedule program (met as discussed in claim 8).

As to claim 27,

wherein the display control program further defines reformatting at least one of the plural sets of Internet resource data, and the step of downloading and displaying the plural sets of Internet resource data comprises displaying at least one of the plural sets of Internet resource data as reformatted according to the display control program (met as discussed in claim 8).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The Schein et al. (6075575) reference discloses a remote control device and method for using television schedule information.
- The Florin et al. (5621456) reference discloses methods and apparatus for audio-visual interface for the display of multiple program categories.
- The Lazarus et al. (5652613) reference discloses an intelligent electronic program guide memory management system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shirley Chang whose telephone number is (571) 272-8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

(SC) Patent Examiner
AU 2614